Criminal Misc. No. 18889 M of 2005

Present : Mr. Deepak Arora, Advocate for the petitioner

Mr. G.S.Bhandari, DAG Punjab

Today none for complainant-respondent is present.

This is a petition filed by Guddi, one of the accused, for quashing of complaint filed by respondent No.2 Gurjinder Singh for offence under Sections 326, 325, 323, 324, 148, 149 Indian Penal Code pending in the Court of Chief Judicial Magistrate, Gurdaspur.

It is argued on behalf of the petitioner that earlier an FIR for the same incident was lodged which has since been cancelled after investigation by the police and now continuing the complaint is just a misuse of the process and wastage of time of the Court.

From complaint (copy Annexure P-3), it would come out that there are as many as six accused. Guddi petitioner happens to be daughter of one of the accused Kartar Singh, whereas her three brothers are also accused apart from her father Kartar Singh and mother Surjit Kaur. They have not come before this Court for challenging the complaint and the proceedings arising out of that complaint.

Counsel for petitioner points out that Guddi petitioner is unmarried daughter and no role is attributed to her except that she was just standing and that she has been falsely involved.

After hearing counsel for the petitioner, this petition is disposed of with a direction that trial Court shall exempt the personal appearance of petitioner Guddi if she is represented by her counsel and an application is

made in this regard on her behalf and further petitioner may take all the pleas available to her before the trial Court after recording of the pre-charge evidence.

Disposed of.

November 17, 2006 **(M.M.Aggarwal)**
'ravinder' **Judge**